



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	Docket No. 109289-00146
)	
Sergey Magnitskii et al.)	Confirmation No. 6517
)	
Application No. 09/616,965)	Art Unit 2653
)	
Filed July 14, 2000)	Examiner: Paul W. Huber
)	
For: OPTICAL DATA STORAGE HAVING COMBINED FLUORESCENT THREE-DIMENSIONAL INFORMATION CARRIER		

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
AUG 06 2004
Technology Center 2600

Sir:

The present Response is filed in response to the Restriction Requirement mailed March 10, 2004.

In response to the Restriction Requirement, the Applicants, through undersigned counsel, elect invention I, claims 1-26, directed to an optical data storage and reading device. The election is made *with* traverse.

MPEP §803 provides as follows:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

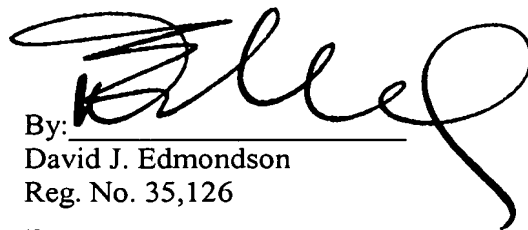
In the present application, the searches for the reading device, the optical disc, the composition and the method of obtaining the disc would involve a substantial overlap. Therefore, the Applicants respectfully submit that any burden in the search and examination of the entire application, as opposed to a single one of inventions I-IV, would be *de minimis*.

The present traversal should not be construed as an admission that the four inventions are not patentably distinct. In the event that the restriction requirement is maintained, the Applicants reserve the full protection of 35 U.S.C. §121 against double-patenting rejections.

If there remain any outstanding issues that can most easily be overcome through a telephone communication, the Examiner is invited to telephone the undersigned attorney at the telephone number set forth below, so that prosecution of the above-captioned application can be expedited.

Please charge any shortage of fees or credit any overpayment thereof to BLANK ROME LLP, Deposit Account No. 23-2185 (109289-00146). In the event that a separate Petition for an Extension of Time is required to render this submission timely and either does not accompany this Response or is insufficient to render this Response timely, the Applicant herewith petitions under 37 C.F.R. §1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized above.

Respectfully submitted,

By: 
David J. Edmondson
Reg. No. 35,126

Date: July 30, 2004

BLANK ROME LLP
The Watergate
600 New Hampshire Avenue, N.W.
Washington, D.C. 20037
Telephone 202-772-5800
Facsimile 202-772-5858